



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 11, 2016
Environment Committee

Testimony Submitted by Commissioner Robert J. Klee

Senate Bill No. 385 Raised – AAC NOTICE OF PESTICIDE APPLICATIONS MADE TO RAILROAD RIGHTS-OF-WAY

Thank you for the opportunity to present testimony regarding **Senate Bill No. 385– AAC Notice of Pesticide Applications Made to Any Railroad Rights-of-Way**. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

The proposed bill will require a railroad company to notify DEEP of any pesticide application to any right-of way not later than twenty-one days prior to the application. The pesticide application schedule may change and thus require multiple notifications.

The proposed bill does not make clear the level of analysis of the vegetation and management plan that is expected by DEEP. Receipt, analysis and management of these plans will place additional demands on the agency's limited resources in a time when staff are already trying to balance existing legislative mandates such as the pesticide ban on K-8 school grounds, registration of pesticide products, applicator certifications, aquatic permitting, inspections and enforcement. As a result of this amendment, railroad right-of-way applications will be subject to the signage and posting requirements of section 22a-66a, in addition to these new notification and submission provisions. The increased administrative demands and enforcement oversight will be problematic given limited staff and other program priorities. A more efficient alternative for notification of pesticide applications along railroad rights-of-way may be by the posting of such information on the website of the railroad company.

In summary, DEEP opposes Senate Bill 385 **AAC Notice of Pesticide Applications Made to any Railroad Rights-of Way** as written but will gladly work with the Committee and the Connecticut Department of Transportation on this concept.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or Robert.LaFrance@ct.gov or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or Elizabeth.McAuliffe@ct.gov.